that the defendants wrongfully and injuriously made, on their own land, an embankment so heavy that the downward pressure (two hundred thousand tons), causing an equal lateral pressure, forced earth and gravel, lying below the surface in the defendant's land, into the plaintiff's land, thereby disturbing the surface of the plaintiff's lot, moving his house on to land not his, and cracking its foundation. The defendants justify under their charter, the embankment being properly and carefully built. The court holds that while the charter justifies any public damage from reasonable working of the road, as injury arising from noise, smoke, cinders, vibration, any damage which in its nature is distinctly private is not within their privilege. This decision, that such an embankment is not within the legislative sanction, which on the facts stated seems open to doubt, leaves the question as though the act had been done by a private individual, and the result of the case is that no man shall squeeze his neighbor's land, even below the surface. To say that a man cannot put buildings of the size he chooses on his own land is at first a startling doctrine; but if the plaintiff can prove actual transfer of particles of earth from his neighbor's lot to his, however far below the surface, it seems to follow necessarily that there is a trespass. Of course, as every downward pressure produces lateral pressure, and pressure is displacement, a man trespasses with every step he takes on his own land. It also follows, that, since the right to support extends only to the land itself, a man is absolutely responsible for all damages to his neighbor's land resulting from building on his own, however firm his land and however loose that of his neighbor. It is needless to add that the unmetaphysical sympathies of juries, as well as the infrequency of violent subterranean displacements, will keep this scientific principle within due limits.

AN OLD LAW FOR THE PROTECTION OF STUDENTS. — Economical students in our vicinity have doubtless been rejoicing over the discovery of a law by which they may at times enjoy the substantials of life at no pecuniary sacrifice. An old Massachusetts Statute, which has practically been unenforced since its enactment, reads that no innholder, tavern-keeper, retailer, confectioner, or keeper of a shop or house for the sale of drink or food, or a livery-stable keeper for horse or carriage hire, shall give credit to a student in an incorporated academy or other educational institution within the State; and in another section, that any one giving credit contrary to this provision shall forfeit a sum equal to twice the amount credited, whether the bill is paid or not. A Harvard student was recently forced, in order to dissolve an attachment for such a debt, to pay the bill. He therefore sued for money paid under duress, and recovered. The case was appealed to the Superior Court, but has since been compromised. Of course the Statute, though absurdly out of date, is not so absolutely inapplicable to the state of society now that, like the Blue Laws, it can be judicially disregarded. It is no more than foolish, and if the Legislature does not take the trouble to repeal it, occasional students will continue to grow slightly fatter from the existence of surroundings that make it impracticable for dealers to refuse all dealings on credit with protected Harvard innocents. It seems on the facts that the appellant had no case, as, if a debt due in honor but not in law is paid under compulsion of law, it is recoverable.